

Maine Revised Statutes
Title 17-A: MAINE CRIMINAL CODE
Chapter 9: OFFENSES AGAINST THE PERSON

§201. MURDER

1. A person is guilty of murder if the person:

A. Intentionally or knowingly causes the death of another human being; [2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF).]

B. Engages in conduct that manifests a depraved indifference to the value of human life and that in fact causes the death of another human being; or [2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF).]

C. Intentionally or knowingly causes another human being to commit suicide by the use of force, duress or deception. [2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF).]

[2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF) .]

1-A. For purposes of subsection 1, paragraph B, when the crime of depraved indifference murder is charged, the crime of criminally negligent manslaughter is deemed to be charged.

[2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF) .]

2. The sentence for murder is as authorized in chapter 51.

[2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF) .]

3. It is an affirmative defense to a prosecution under subsection 1, paragraph A, that the person causes the death while under the influence of extreme anger or extreme fear brought about by adequate provocation.

[2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF) .]

4. For purposes of subsection 3, provocation is adequate if:

A. It is not induced by the person; and [2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF).]

B. It is reasonable for the person to react to the provocation with extreme anger or extreme fear, provided that evidence demonstrating only that the person has a tendency towards extreme anger or extreme fear is not sufficient, in and of itself, to establish the reasonableness of the person's reaction. [2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF).]

[2001, c. 383, §8 (AMD); 2001, c. 383, §156 (AFF) .]

5. Nothing contained in subsection 3 may constitute a defense to a prosecution for, or preclude conviction of, manslaughter or any other crime.

[1983, c. 372, §1 (NEW) .]

SECTION HISTORY

1975, c. 499, §1 (NEW). 1975, c. 740, §§37-39 (AMD). 1977, c. 510, §38 (RPR). 1983, c. 372, §1 (AMD). 1983, c. 450, §2 (AMD). 1985, c. 416, (AMD). 2001, c. 383, §8 (AMD). 2001, c. 383, §156 (AFF).

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